

United States District Court

District of Minnesota

UNITED STATES OF AMERICA

v.

Michael Joseph Crosby**AMENDED JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

Case Number: **13-CR-91 SRN/LIB**USM Number: **88239-012**

Social Security Number: 0602

Date of Birth: 1948

Andrew Mohring

Defendant's Attorney

THE DEFENDANT:☒ pleaded guilty to count(s): **One**.☐ pleaded nolo contendere to counts(s) which was accepted by the court.☐ was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 751(a)	Escape	4/5/13	One

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

A Special Assessment of \$100.00 for the Crime Victims Fund is required by statute to be paid immediately.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of any material change in the economic circumstances.

March 28, 2014

Date of Imposition of Judgment

s/Susan Richard Nelson

Signature of Judge

SUSAN RICHARD NELSON, United States District Judge

Name & Title of Judge

July 8, 2014

Date

DEFENDANT: MICHAEL JOSEPH CROSBY
CASE NUMBER: 13-CR-91 SRN/LIB

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **18 months to be served consecutively with the sentence imposed in case 11-CR-134 MJD/AJB.**

- ☒ The court makes the following recommendations to the Bureau of Prisons:
That the defendant be designated to a Federal Medical Facility in light of his most recent medical records, ideally FMC Rochester in Minnesota to address the defendant's serious medical issues as urged by his treating physician. Additional medical records of the defendant were received into evidence in a supplemental hearing to ensure that the BOP has his entire medical file when making its designation. Please note that his treating physician has grave concerns about his ability to be safely transported long distances, given his acute hernia and general poor health. Also, that the defendant be allowed to participate in the 500-hour Residential Drug Abuse Program offered by the Bureau of Prisons if he is eligible.
- ☒ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district.
☐ at on .
☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before on .
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy United States Marshal

DEFENDANT: MICHAEL JOSEPH CROSBY
CASE NUMBER: 13-CR-91 SRN/LIB

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this Judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: MICHAEL JOSEPH CROSBY
CASE NUMBER: 13-CR-91 SRN/LIB

SPECIAL CONDITIONS OF SUPERVISION

- a Within 72 hours of the defendant's release from the custody of the Bureau of Prisons, the defendant must report to the probation office in the district where he is released.
- b The defendant shall comply with the standard conditions of supervised release recommended by the Sentencing Commission.
- c The defendant shall not commit another federal, state, or local crime.
- d The defendant shall not possess a firearm, ammunition, destructive device, or other dangerous weapon.
- e The defendant shall cooperate in the collection of DNA as approved by the probation officer and mandated by 18 U.S.C. §§ 3563(a) and 3583(d).
- f The defendant shall not unlawfully use or unlawfully possess any controlled substance.
- g The defendant shall undergo mandatory drug testing within 15 days of his release from imprisonment, and at least two more times thereafter, as set forth in 18 U.S.C. §§ 3563(a) and 3583(d). The defendant shall submit to further drug testing as approved and directed by the probation officer.
- h If the defendant does not find full-time, lawful employment as deemed appropriate by the probation officer, the defendant may be required to do community-service work for up to 20 hours per week until the defendant becomes employed. The defendant may also be required to participate in training, counseling, or daily job searching as directed by the probation officer.
- i The defendant shall abstain from the use of alcohol and other intoxicants and not frequent establishments whose primary business is the sale of alcoholic beverages.
- j The defendant shall participate in a program for substance abuse as approved by the probation officer. That program may include testing and inpatient or outpatient treatment, counseling, or a support group. The defendant shall contribute to the costs of this treatment as determined by the Probation Office Co-Payment Program, not to exceed the total cost of treatment.
- k The defendant shall follow all conditions of supervision imposed in case number 11-CR-134 MJD/AJB.